EXHIBIT A

Parties' Preliminary Claim Constructions

Defendants intend to address terms marked with a "*" in its motion for summary judgment of indefiniteness, but reserve the right to respond to any positions raised in plaintiff's claim construction briefing.

Defendants reserve the right to rely on any portion of the specification or file history of any of the patents-in-suit not included herein to address or rebut arguments made by plaintiff.

	Term	Proposing Party	Patent (claims)	Blue Spike Construction	Defendants' Construction
1.	Abstract	Defendants and Blue Spike	472 (3,4,8,11,12) 700 (1,6,7,10,11,40,49,50) 494 (1,5,11,17,20,21,29) 175 (8,11,12,13,15,16,17)	"a unique identifier"	**All Defendants (except Morpho Defendants[1])[2]** "A data-reduced representation of a reference or query signal that is the smallest amount of data that can represent and differentiate two signals for a given predefined signal set and that retains a perceptual relationship with the original signal" Intrinsic Evidence '472 Patent[3] Col. 3:52-55; 3:63-4:50; 5:65-6:6; 6:54-7:55; 8:16-27; 9:47-51; 10:9-19; 10:21-24;10:51-54; 14:19-27; 14:58-64; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply.

[1] In this document, "Morpho Defendants" refers to MorphoTrust USA, Inc., L-1 Identity Solutions, Inc., MorphoTrak, Inc., and Safran USA, Inc.

[2] 3M Cogent contends that the term "abstract" is indefinite. To the extent the Court finds it definite, 3M Cogent agrees with Defendants' construction.

[3] Citations to the '472 Patent are representative as all four patents-in-suit share a common specification.

	Term	Proposing Party	Patent (claims)	Blue Spike Construction	Defendants' Construction
					Morpho Defendants Indefinite To the extent the Court finds this term is definite, Morpho proposes:"a reduction that preserves an aesthetic quality of the original signal" Intrinsic Evidence '472 Patent at Abstract; '472 Patent Col. 2:64-3:47; 3:52-56; 3:63-4:59; 5:24-34; 5:65-6:6; 6:48-54; 6:64-7:55; 8:16-27; 9:42-59-65; 10:9-33; 10:50-54; 11:13-17; 11:28-51; 14:19-27; 14:47-64; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply.
2.	Digitally signed abstract	**Defendants and Blue Spike**	**700** (11,50) **494** (21)	No construction required	"data that results from performing a Digital Signature on an Abstract" Intrinsic Evidence '472 Patent Col. 3:52-55; 3:63- 4:50; 7:36-55; 8:16-27; 9:47-51; 10:9-19; 14:19-27; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply.

	Term	Proposing Party	Patent (claims)	Blue Spike Construction	Defendants' Construction
3.	Match/Matches/ Matched/Matching	**Defendants -** Match/Matches/ Matched **Blue Spike -** match	**472** (3,4,8,11,12) **700** (1) **494** (1,29) **175** (12,13,15)	**Match -** No construction required **Matches/Matched –** *Blue Spike did not address*	A Match - "an indistinguishable copy" Matches - "is indistinguishable from " Matched – "was indistinguishable from" Matching – "indistinguishable" Intrinsic Evidence '472 Patent Col. 2:64-3:7; 3:8-47; 3:52-55; 3:63- 4:50; 6:54-7:55; 8:16-27; 8:55-59; 9:47-51; 10:9-19; 11:20-23; 14:19-27; '15:3-8; 15:12-15; 700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply. Extrinsic Evidence "match (A) A condition in which the values of corresponding components of two or more data items are equal. See also: hit. (B) To compare two or more data items to determine whether their corresponding components are equal as in definition 'A'." The IEEE Standard Dictionary of Electrical and Electronics Terms (6th Ed. 1997).
4.	A comparing device that compares/ a comparing device….that compares/ a	**Defendants**	**472** (11) **494** (1,11)	*Blue Spike did not address*	Means plus function. Function: comparing

	Term	Proposing Party	Patent (claims)	Blue Spike Construction	Defendants' Construction
	comparing device for comparing				Structure: no structure or algorithm disclosed. To the extent the Court determines this term is not means-plus-function, Defendants propose this term is indefinite. To the extent the Court finds this term is not indefinite, Defendants propose: "A separate hardware component of the computerized system [that compares/for comparing/able to compare]". Intrinsic Evidence '472 Patent Col. 3:29-34; 3:43-47; 3:52-55; 3:63- 4:50; 6:54-7:55; 8:16-27; 8:55-9:10; 9:18-39; 9:47-51; 10:9-19; 14:19-27; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply.
5.	A device configured to determine if a query signal matches any one plurality of reference signals	**Defendants**	**494** (29)	*Plain and ordinary meaning*	Means plus function. Function: determine if a Query Signal matches any one plurality of reference signals Structure: no structure or algorithm disclosed. To the extent the Court determines this term is not means-plus-function, Defendants propose this term is indefinite. To the extent the Court finds this term is not indefinite, Defendants propose: "A separate hardware component of the computerized system configured to determine if a Query Signal

	Term	Proposing Party	Patent (claims)	Blue Spike Construction	Defendants' Construction
					Matches any one plurality of Reference Signals". Intrinsic Evidence '472 Patent Col. 3:29-34; 3:43-47; 3:52-55; 3:63- 4:4; 4:31-36; 6:54-7:55; 8:16-27; 8:55-9:10; 9:18-39; 9:47-51; 10:9-19; 14:19-27; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply.
6.	Versions of [a/the/said/"that one of said plurality of"] reference signal[s]	**Defendants – Versions of [a/the/said/ "that one of said plurality of"] reference signal[s]** **Blue Spike - versions**	**700** (1,6) **494** (1,11,29) **175** (8) **700** (40)	**Versions of [a/the/said/"that one of said plurality of"] reference signal[s]** – *Blue Spike did not address* **Version -** No construction required	"multiple variations of a particular Reference Signal" Intrinsic Evidence '472 Patent Col. 3:52-55; 3:63- 4:7; 4:31-36; 6:54-7:55; 8:16-27; 8:55-9:10; 9:47-51; 10:9-19; 11:18-20; 13:10-18; 14:19-27; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply.
7.	Selectable criteria	**Defendants and Blue Spike**	**472** (11)	"criteria that is selectable"	"Rules available for selection, which create different abstracts for a particular reference signal" Intrinsic Evidence '472 Patent Col. at Abstract; '472 Patent Col. 3:18-21; 7:48-64; 8:41-54; 9:47-51; 10:9-19;

	Term	Proposing Party	Patent (claims)	Blue Spike Construction	Defendants' Construction
					10:41-46; 11:13-23; 11:24-57; 12:61-13:30; 14:28-51; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply.
8.	Reference signal	**Defendants and Blue Spike**	**472** (3,4,8,11) **700** (1,6,7,8,10,40,49) **494** (1,4,5,11,17,18,20,29)	"a signal that is being referenced"	"An uncompressed Signal representing an entire work" Intrinsic Evidence '472 Patent Col. 6:64-7:28; 7:29-64; 8:10-40; 9:13–26; 11:8–23; 12:1830; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply.
9.	Query signal	**Defendants and Blue Spike**	**472** (3,4,8,11) **700** (1,10,40,49) **494** (1,11,20,29)	"a signal being monitored or analyzed"	"An uncompressed Signal representing an entire work to be analyzed" Intrinsic Evidence '472 Patent Col. 6:64-7:28; 7:29-64; 8:10-40; 9:13–26; 11:8–23; 12:1830;'700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply.
10.	Reference database	**Defendants and Blue Spike**	**472** (3,8,11)	"a database that contains references"	"A Database containing Abstracts for a predefined set of Reference Signals"

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	Term	Proposing Party	Patent (claims)	Blue Spike Construction	Defendants' Construction
					Intrinsic Evidence '472 Patent Col. 8:10-40; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply.
11.	Related to	**Defendants and Blue Spike**	**700** (40) **494** (11)	No construction required	"Matches" Intrinsic Evidence '472 Patent Col. 2:64-3:7; 3:8-47; 3:52-55; 3:63- 4:50; 6:54-7:55; 8:16-27; 8:55-59; 9:47-51; 10:9-19; 11:20-23; 14:19-27; '15:3-8; 15:12-15; 700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply.
12.	Recording the identify [sic] of the reference signal	**Defendants** - Recording the identify [sic] of the reference signal **Blue Spike** – Recording**;** Recording the identify [sic]	**472** (8)	**Recording the identify [sic]** - "Imprinting to memory the identity [ ]"	"storing the unique label that corresponds to only one Reference Signal" Extrinsic Evidence: "recording … The process of storing information on some storage medium for later retrieval." The IEEE Standard Dictionary of Electrical and Electronics Terms (6th Ed. 1997).

	Term	Proposing Party	Patent (claims)	Blue Spike Construction	Defendants' Construction
					Intrinsic Evidence '472 Patent Col. 3:59-61; 7:44:48.
13.	Creating at least one counter corresponding to one of said at least one reference signal	**Defendants** - Creating at least one counter corresponding to one of said at least one reference signal **Blue Spike** - Creating at least one counter	**472** (3,8)	**Creating at least one counter -** No construction required **…corresponding to one of said at least one reference signal** - *Blue Spike did not address*	"creating an element used for counting, which corresponds to a particular Reference Signal" Intrinsic Evidence '472 Patent Col. 9:11-17; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply.
14.	First digital reference signal abstract match recorder	**Defendants** - First digital reference signal abstract match recorder **Blue Spike** – Match recorder	**175** (15)	**First digital reference signal abstract match recorder -** *Blue Spike did not address* **Match recorder** - No construction required	"an element used for counting, which corresponds to a particular Abstract" Intrinsic Evidence '472 Patent Col. 9:11-17; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply.
15.	Incrementing the counter….when a match is found	**Defendants** - Incrementing the counter…. when a match is	**472** (3,8)	**Incrementing the counter … -** No construction necessary **…when a match is found** - *Blue Spike did not address*	"increasing the value of the element used for counting when a Match is found" Intrinsic Evidence '472 Patent Col. 9:11-17; '700 Patent FH,

	Term	Proposing Party	Patent (claims)	Blue Spike Construction	Defendants' Construction
	found **Blue Spike - Incrementing the counter**				10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply.
16.	A compare result	**Defendants - A compare result** **Blue Spike – Compare result**	**175** (11)	No construction required	"data that indicates whether a Match between two abstracts was found" Intrinsic Evidence '472 Patent Col. 3:29-34; 3:43-47; 4:56-59; 8:55-9:17; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply. Extrinsic Evidence: "compare … To check two items, such as words, files, or numeric values, so as to determine whether they are the same or different. In a program, the outcome of a compare operation often determines which of two or more actions is taken next." Computer Dictionary (Microsoft Press, 3d Ed. 1997).
17.	Generating a report	**Defendants and Blue Spike**	**472** (4)	No construction required	"creating a serial output which can be subsequently processed to determine the total number of times various Signals have been detected" Intrinsic Evidence

	Term	Proposing Party	Patent (claims)	Blue Spike Construction	Defendants' Construction
					'472 Patent Col. 9:11-17; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply.
18.	Distributing at least one signal based on the comparison step	**Defendants** - Distributing at least one signal based on the comparison step **Blue Spike** - Distributing at least one signal; comparison step	**700** (51)	**Distributing at least one signal…** – No construction required **…based on the…**- *Blue Spike did not address* **…comparison step** - No construction required	"delivering at least one Signal resulting from the comparison to multiple recipients" Intrinsic Evidence '472 Patent Col. 2:7-21; 6:64-7:3; 9:11-17; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply. Extrinsic Evidence: "signal distributing (telephone switching systems) Delivering of signals from a common control to other circuits." The IEEE Standard Dictionary of Electrical and Electronics Terms (6th Ed. 1997).
19.	perceptual characteristics representative of parameters to differentiate between versions of the reference signal	**Defendants** – perceptual characterist ics representati ve of parameters to differentiat	**494** (11) **700** (40)	Plain and ordinary meaning	"Perceptual characteristics, which represent parameters, that distinguish multiple Versions of the same Reference Signal" Intrinsic Evidence '472 Patent Col. 3:52-55; 3:63- 4:50; 5:65-6:6; 6:54-7:55; 8:10-30; 9:47-51; 10:9-33; 11:7-23; 13:10-30; 14:19-27; '700 Patent FH,

	Term	Proposing Party	Patent (claims)	Blue Spike Construction	Defendants' Construction
		e between versions of the reference signal **Blue Spike** - perceptual characteristics representative of parameters to differentiate between versions			10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply.
20.	signal characteristic parameters configured to differentiate between versions of said reference signal	**Defendants** - signal characteristic parameters configured to differentiate between versions of said reference signal **Blue Spike** - signal characteristic parameters; reference signal	**494** (1)	Plain and ordinary meaning	"parameters that characterize a signal that distinguish between multiple Versions of the same Reference Signal" Intrinsic Evidence '472 Patent Col. 3:52-55; 3:63- 4:50; 5:65-6:6; 6:18-31; 6:54-7:55; 8:16-27; 9:47-51; 10:9-33; 13:10-30; 14:19-27; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply. Extrinsic Evidence: "parameter - variable factor or characteristic." The Hutchinson Dictionary of Computing

	Term	Proposing Party	Patent (claims)	Blue Spike Construction	Defendants' Construction
					Multimedia and the Internet (3d ed. 1999). "signal parameter (programmable instrumentation) - That parameter of an electrical quantity whose values or sequence of values convey information." The IEEE Standard Dictionary of Electrical and Electronics Terms (6th Ed. 1997).
21.	signal characteristic parameters configured to differentiate between a plurality of versions of the reference signal.	**Defendants** - signal characteristic parameters configured to differentiate between a plurality of versions of said reference signal **Blue Spike** - signal characteristic parameters	**700** (1)	Plain and ordinary meaning	"parameters that characterize a Signal that distinguish between multiple Versions of the same Reference Signal" Intrinsic Evidence '472 Patent Col. 3:52-55; 3:63- 4:50; 5:65-6:6; 6:18-31; 6:54-7:55; 8:16-27; 9:47-51; 10:9-33; 13:10-30; 14:19-27; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply. Extrinsic Evidence: "parameter - variable factor or characteristic." The Hutchinson Dictionary of Computing Multimedia and the Internet (3d ed. 1999). "signal parameter (programmable instrumentation) - That parameter of an electrical quantity whose values or sequence of values convey information." The IEEE Standard Dictionary of Electrical and

	Term	Proposing Party	Patent (claims)	Blue Spike Construction	Defendants' Construction
					Electronics Terms (6th Ed. 1997).
22.	signal characteristic parameters configured to differentiate between other versions of that one of said plurality of reference signals	**Defendants** - signal characteristic parameters configured to differentiate between other versions of that one of said plurality of reference signals **Blue Spike** - signal characteristic parameters	**494** (29)	Plain and ordinary meaning	"parameters that characterize a Signal that distinguish between multiple Versions of the same Reference Signal" Intrinsic Evidence '472 Patent Col. 3:52-55; 3:63- 4:50; 5:65-6:6; 6:18-31; 6:54-7:55; 8:16-27; 9:47-51; 10:9-33; 13:10-30; 14:19-27; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply. Extrinsic Evidence: "parameter - variable factor or characteristic." The Hutchinson Dictionary of Computing Multimedia and the Internet (3d ed. 1999). "signal parameter (programmable instrumentation) - That parameter of an electrical quantity whose values or sequence of values convey information." The IEEE Standard Dictionary of Electrical and Electronics Terms (6th Ed. 1997).
23.	signal characteristic parameters that differentiate between said plurality of different versions of said visual work and said	**Defendants** – signal characteristic parameters that	**175** (8)	**signal characteristic parameters…** - No construction required **that differentiate between said plurality of different…**- *Blue Spike did not address*	"parameters that characterize a Signal that distinguish between multiple Versions of a single visual work and multimedia work" Intrinsic Evidence

	Term	Proposing Party	Patent (claims)	Blue Spike Construction	Defendants' Construction
	multimedia work	differentiate between said plurality of different versions of said visual work and said multimedia work **Blue Spike** - signal characteristic parameters **Blue Spike** - versions of a visual work and a multimedia work		**…versions of a visual work and a multimedia work** – No construction required Plain and ordinary meaning	'472 Patent Col. 3:52-55; 3:63- 4:50; 5:65-6:6; 6:54-7:55; 8:16-27; 9:47-51; 10:9-33; 13:10-30; 14:19-27; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply. Extrinsic Evidence: "parameter - variable factor or characteristic." The Hutchinson Dictionary of Computing Multimedia and the Internet (3d ed. 1999). "signal parameter (programmable instrumentation) - That parameter of an electrical quantity whose values or sequence of values convey information." The IEEE Standard Dictionary of Electrical and Electronics Terms (6th Ed. 1997).
24.	Recognizable characteristic	**Defendants and Blue Spike**	**700** (8) **494** (18)	No construction required	"characteristic visually or aurally perceived by a person" Intrinsic Evidence '472 Patent Col. 3:52-4:4; 4:44-52; 5:5-17; 6:54-7:28; 8:41-54; 14:3-18; 14:54-15:11; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply.

	Term	Proposing Party	Patent (claims)	Blue Spike Construction	Defendants' Construction
25.					
26.	Cryptographic protocol	**Defendants and Blue Spike**	**700** (10,11,49,50) **494** (20,21)	No construction required	"An agreed upon procedure for transforming data in order to secure it" Intrinsic Evidence '472 Patent Col. 1:61-2:7; 2:41-48; 10:46-54; 14:19-27; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply; '718 Patent 4:36; 14:14 (incorporated by reference in '472 patent). Extrinsic Evidence: "Cryptography – The discipline embodying principles, means, and methods for the transformation of data in order to hide its information content, prevent its undetected modification, and/or prevent its unauthorized use." The IEEE Standard Dictionary of Electrical and Electronics Terms (6th Ed. 1997).
27.	Hash	**Defendants and Blue Spike**	**700** (11,50) **494** (21)	A mathematical function that maps a bit string of arbitrary length to a fixed length bit string	"A mathematical transform that maps a bit string of arbitrary length to a fixed length bit string to achieve uniqueness" Intrinsic Evidence '472 Patent Col. 1:61-2:7; 2:42-48; 10:46-54; 14:19-27; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472

	Term	Proposing Party	Patent (claims)	Blue Spike Construction	Defendants' Construction
					Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply. Extrinsic Evidence: "Hash function - A function that maps a bit string of arbitrary length to a fixed length bit string." Digital Signature Standard, Federal Information Processing Standards Publication, United States Department of Commerce, FIPS PUB 186-4.
28.	Reduced in size	Defendants	175 (8,11,17)	Plain and ordinary meaning	"compressed" Intrinsic Evidence '472 Patent Col. 3:52-55; 3:63- 4:50; 5:65-6:6; 6:54-7:55; 8:16-27; 9:47-51; 10:9-19; 14:19-27; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply.
29.	Psycho-acoustic model	Defendants – Psycho-acoustic model Blue Spike - psycho-acoustic model and a	175 (17)	No construction required	"model that determines acoustic parameters that are humanly-perceptible" Intrinsic Evidence '472 Patent Col. 7:34-64; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply;

	Term	Proposing Party	Patent (claims)	Blue Spike Construction	Defendants' Construction
		psycho-visual model			'175 Patent FH, 1/21/2012 OA Reply
30.	Psycho-visual model	**Defendants** – Psycho-visual model **Blue Spike** - psycho-acoustic model and a psycho-visual model	**175** (17)	No construction required	"model that determines visual parameters that are humanly-perceptible" Intrinsic Evidence '472 Patent Col. 7:48-64; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply
31.	Data describing a portion of the characteristics of its associated reference signal	**Defendants and Blue Spike**	**700** (7) **494** (17)	*Blue Spike did not address*	Indefinite. To the extent the Court believes that this term is not indefinite, then Defendants propose: "Information describing less than all of the signal characteristic parameters used to create the Abstract for its associated Reference Signal" Intrinsic Evidence '472 Patent Col. 10:9-33; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply.
32.	Digital signature[*]	**Defendants and Blue**	**700** (11,50)	No construction required	Indefinite.

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	Term	Proposing Party	Patent (claims)	Blue Spike Construction	Defendants' Construction
		Spike	494 (21)		To the extent the Court believes that this term is not indefinite, then Defendants propose: "the result of a cryptographic transformation of data that, when applied to an Abstract, provides a mechanism for verifying origin authentication, data integrity and signatory non-repudiation" Intrinsic Evidence '472 Patent Col. 1:61-2:7; 2:42-48; 10:46-54; 14:19-27; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH, 11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply
33.	security controller that controls access to a secured area[*]	Defendants and Blue Spike	472 (12) 494 (20)	A hardware device that monitors access	Indefinite To the extent the Court believes that this term is not indefinite, then Defendants propose: "a hardware device that prevents unauthorized access" Intrinsic Evidence '472 Patent Col. 3:31-38; 13:31-42.
34.	Programmed or structured to use an algorithm to generate said digital reference signal abstract from said digital reference signal[*]	Defendants – Programmed or structured to use an algorithm to generate	175 (16)	*Blue Spike did not address* **…algorithm …** – "a mathematical rule or procedure for solving a problem"	Indefinite Intrinsic Evidence '472 Patent Col. 7:34-64; 14:36-52; '700 Patent FH, 10/30/08 OA Reply; '700 FH Response to 3/5/09 OA; '472 Patent FH,

	Term	Proposing Party	Patent (claims)	Blue Spike Construction	Defendants' Construction
	Programmed or structured to use said algorithm to generate said digital query signal abstract from said digital query signal[*]	said digital reference signal abstract from said digital reference signal **Blue Spike** – algorithm			11/22/2004 OA Reply; '472 Patent FH, 8/13/2007 OA Reply; '175 Patent FH, 1/21/2012 OA Reply
35.	Wherein the system applies a cryptographic protocol[*]	**Defendants** – Wherein the system applies a cryptographic protocol **Blue Spike** - cryptographic protocol	**700** (10)	**Wherein the system applies …** - *Blue Spike did not address* **…cryptographic protocol** - No construction required [addressed above]	Indefinite
36.	The system of claim … further comprising storing the hashed abstract …[*]	**Defendants** - The system of claim … further comprising storing the hashed abstract … **Blue Spike** - hashed	**700** (11) **494** (21)	**The system of claim … further comprising storing the hashed abstract …** - *Blue Spike did not address* **…hashed…** - No construction required	Indefinite
37.	The system of claim … based	**Defendants** –	**494** (22)	**The system of claim … based on the comparison step** - *Blue Spike*	Indefinite

	Term	Proposing Party	Patent (claims)	Blue Spike Construction	Defendants' Construction
	on the comparison step[*]	The system of claim … based on the comparison step **Blue Spike** – comparison step		*did not address* **…comparison step…** - No construction required	
38.	Index of relatedness[*]	**Defendants and Blue Spike**	**472** (11)	No construction required	Indefinite To the extent the Court believes that this term is not indefinite, then Defendants propose: "a rank of closeness between the Query Signal itself and the abstracts stored in the Reference Database" Intrinsic Evidence '472 Patent at Abstract; '472 Patent Col. 11:20-23.
39.	Similar to[*]	**Defendants and Blue Spike**	**175** (8,11,17)	No construction required	Indefinite To the extent the Court believes that this term is not indefinite, then Defendants propose: "looks or sounds the same as"